

Federal Law, Deadlines and Ballot Access Requirements

General Election For President Tuesday, November 4, 2008

The Democratic Party of Virginia and the Republican Party of Virginia are the only organizations currently recognized as political parties under § 24.2-101 of the Code of Virginia. Therefore, they are the only political parties permitted to select a Presidential Primary in connection with the respective national conventions in the summer of 2008.

The following information is provided concerning the manner in which individuals who **ARE NOT** the national nominees of either the Democratic Party or the Republican Party may qualify to have their names placed on Virginia's general election ballot for President of the United States.

Federal Law

Federal statutes impose certain requirements on a candidate for President. They are:

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- Must be a natural born citizen of the United States who is at least 35 years of age, who has been a resident of the United States for 14 years, who is a resident of and qualified voter in a State other than the State in which the Vice-Presidential candidate is a resident and qualified voter.
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- Obtain a Vice Presidential running mate who is a resident of and qualified voter in a State other than the State in which the Presidential candidate is a resident and qualified voter.
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- Obtain **2** Electors from the Commonwealth of Virginia at large and **1** Electoral from each of Virginia's 11 congressional districts. Each elector must be a resident and qualified voter of the district for which he/she serves. If they receive the highest number of votes cast at the general election, each elector **must vote** for the persons named for President and Vice President in the petition at the Electoral College.

Members of the United States Senate or House of Representatives and employees of the United States government are prohibited by the Constitution of the United States from serving as electors.

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- Comply with the requirements of the Federal Election Campaign Act imposed on candidates and committees. This Act requires candidates and committees to register and disclose campaign receipts and expenditures and to abide by certain contribution limits and prohibitions.

The Act further requires that an Authorization Notice appear on any public political advertising.

These regulations are published by, and available from, the Federal Election Commission, 999 E Street NW, Washington DC 20463. You also may request this information by phone: 800-424-9530; FAX: 202-219-8500 or on the Internet at <http://www.fec.gov>.

Deadlines

DEADLINE	ACTION REQUIRED
Tuesday, January 1, 2008 § 24.2-543	First day on which presidential petitions may be circulated for the November 4, 2008 General Election. See Federal Law Requirements For Presidential Candidate and Ballot Access Requirements in this bulletin for details.
On or before Friday, February 22, 2008 § 24.2-543	Deadline by which a group which wishes to use a selected party name on the presidential ballot must have in place: <ol style="list-style-type: none">1. A state central committee composed of registered voters from each congressional district in Virginia;2. A party plan and bylaws; and3. A duly designated chairman and secretary.

DEADLINE	ACTION REQUIRED
<p>Friday, August 22, 2008 by Noon § 24.2-542 § 24.2-543</p>	<p>Deadline for other groups to file presidential petitions with the State Board of Elections. See Ballot Access Requirements in this bulletin for details.</p> <p>Deadline for other groups to file the Certificate of Candidate Qualification signed, under oath, by each Electoral whose name appears on the petitions.</p> <p>Deadline for other groups to file a letter certifying the full names and resident addresses of all electors.</p> <p>Deadline for a group wishing to use a party name on the presidential ballot to file with the State Board of Elections the following:</p> <ol style="list-style-type: none"> 1. An affidavit, under oath, that the group had: <ol style="list-style-type: none"> a. A state central committee composed of registered voters from each congressional district in Virginia; b. A party plan and bylaws; and c. A duly designated chairman and secretary. 2. A list of the names and resident addresses of the officers and members of the state central committee; and 3. A copy of the party plan and bylaws.
<p>Monday, September 8, 2008 § 24.2-542 § 24.2-542.1</p>	<p>Deadline for a group qualified to use selected party may certify to the State Board of Elections, a substitute candidate for President or Vice President due to that candidate's death or withdrawal.</p> <p>Deadline by which the candidate for President of a group not qualified to use a selected party name may certify a substitute candidate for Vice President to the State Board of Elections.</p> <p>Vacancies in the office of Elector, for whatever reason, are filled by a plurality vote of the remaining Electors when they meet on the first Monday after the second Wednesday in December.</p>
<p>Monday, October 6, 2008 § 24.2-414</p>	<p>Last day on which a person may apply for voter registration for the presidential election. All registration books close on this day. See Who May Vote in this bulletin for details.</p>

DEADLINE	ACTION REQUIRED
Tuesday, October 28, 2008 § 24.2-701 B 2	Deadline for receipt of absentee ballot application sent by mail, FAX or e-mail to be received by the General Registrar of the voter's county of city of residence. See State Board of Elections website for details: http://www.sbe.virginia.gov
Saturday, November 1, 2008 § 24.2-701 B 1	5:00 PM - Deadline for voter to apply and vote absentee in-person in the office of the General Registrar of his county or city of residence.
Tuesday, November 4, 2008 § 24.2-101	ELECTION DAY
Monday, November 24, 2008 § 24.2-679	State Board of Elections meets to ascertain results of the presidential election.

Ballot Access Requirements

Candidates wishing to participate in the **presidential general election** must follow the procedures outlined below.

<p>Petition Requirements</p> <p>§ 24.2-542</p> <p>§ 24.2-543</p>	<p>Circulate on and after January 1, 2008.</p> <hr/> <p>Must be on the form prescribed by the State Board of Elections. It is suggested that the candidate or group complete the top portion of the petition form and then print or photocopy as many copies of the form as needed. The form may not be altered in any way.</p> <p>The following information must be entered in the top portion of the petition before any voter signs it:</p> <ol style="list-style-type: none"> 1. The name of each Elector: First name, middle or maiden name or initial, if one, last name, and suffix, if any; 2. The names of the candidates for President and Vice President for whom the Electors must vote in the Electoral College, if elected; 3. If the potential candidates are to represent a group qualified to use a selected party name, the party name (a party emblem may be placed on the petition with the party group name but it will not appear on the ballot), OR 4. If the potential candidates do NOT represent a group qualified to use a selected party name, leave this space blank (the candidate will be designated as "Independent" on the ballot). <hr/> <p>Must be signed by not less than 10,000 qualified voters in Virginia, including at least 400 qualified voters from each of Virginia's eleven congressional districts.</p> <p>It is recommended that 15,000 - 20,000 signatures be obtained with at least 700 signatures from each congressional district because many people who are not registered to vote will sign a petition.</p> <hr/> <p>Must provide the true signature, the printed full name and the full resident address of each qualified voter and the date each signed the petition.</p> <p>Although the social security number is requested, it is not mandatory that it be provided. It is suggested that at least the last 4 digits of the social security number be provided to facilitate verification.</p>
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